



**MURIEL GOODE-TRUFANT**  
Corporation Counsel

**THE CITY OF NEW YORK**  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

**JESSICA KATZEN**  
Assistant Corporation Counsel  
phone: (212) 356-1646  
email: jkatzen@law.nyc.gov

August 1, 2025

**VIA ECF**

Honorable Naomi Reice Buchwald  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Meissner, et al. v. City of New York, et al.*, 23 Civ. 1907 (NRB)

Your Honor,

I am an Assistant Corporation Counsel in the office of Muriel Goode-Trufant, Corporation Counsel of the City New York, one of the attorneys representing defendants City of New York, New York City Police Department (“NYPD”), Jessica Tisch as Commissioner of the NYPD,<sup>1</sup> Nicole Berkovich, as Director of the NYPD License Division, and NYPD License Division (collectively “Defendants”) in the above-referenced action. I submit this letter, jointly with Plaintiffs’ counsel, pursuant to the Court’s instructions, to inform the Court of how the parties wish to proceed in this action.

Plaintiffs’ counsel has informed Defendants’ counsel that Stuart Meissner intends to withdraw as a plaintiff in this action. Defendants consent to Plaintiffs amending the complaint for the sole purpose of removing Stuart Meissner as a plaintiff and eliminating factual allegations pertaining to Stuart Meissner. The parties have agreed to the following proposed schedule for

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<sup>1</sup> Plaintiff named then-NYPD Commissioner Keechant L. Sewel as a defendant in her official capacity as Police Commissioner. The current Police Commissioner is Jessica Tisch, appointed in November 2024. Pursuant to FRCP 25(d), the successor of a public officer is automatically substituted as a party when the originally named public officer “ceases to hold office while the action is pending.”

Plaintiffs' amended pleading and Defendants' responsive pleading: Plaintiffs will file the Second Amended Complaint by August 15, 2025, and Defendants will submit an answer to the Second Amended Complaint by September 5, 2025.

The parties propose to engage in discovery in two parts: first, discovery related to Plaintiffs' attempt to establish the prerequisites set forth in Federal Rule of Civil Procedure 23(a) for a class, and then, merits-based discovery to take place after a decision on plaintiff's motion for class certification. The parties have agreed to the following proposed discovery and motion schedule regarding class certification: Parties to serve any demands for discovery regarding Plaintiffs' identification of a class by August 29, 2025, and all class discovery will be complete by November 26, 2025. Plaintiffs will file their motion for class certification by December 30, 2025; Defendants will file any opposition by January 30, 2026, and Plaintiffs will file any reply by February 13, 2026. The parties also propose that following a decision on the motion for class certification, they will meet and confer regarding a schedule for discovery related to the remaining claims in the Complaint and a schedule for dispositive briefing.

The parties respectfully request that this Court adopt the parties' proposed schedules regarding amending the complaint, class discovery, and motion for class certification.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jessica Katzen".

Jessica Katzen  
Assistant Corporation Counsel

cc: Attorneys for Plaintiffs